

**CHAPTER 138f. AGRICULTURAL AND RURAL YOUTH
ORGANIZATION GRANT PROGRAM GUIDELINES—
STATEMENT OF POLICY**

- Sec.
- 138f.1. Program objectives.
 - 138f.2. Definitions.
 - 138f.3. Purpose, composition and responsibilities of the Board.
 - 138f.4. Limitations on grants.
 - 138f.5. Uses of direct and matching grant moneys.
 - 138f.6. Applications generally.
 - 138f.7. Filing applications.
 - 138f.8. Review of application by Board.
 - 138f.9. Notice of disposition of application.
 - 138f.10. Grant agreement.
 - 138f.11. Verification of use.
 - 138f.12. Grant cancellation.
 - 138f.13. Deficits.

Source

The provisions of this Chapter 138f adopted April 3, 1992, effective April 4, 1992, 22 Pa.B. 1570, unless otherwise noted.

§ 138f.1. Program objectives.

(a) Through the awarding of grants and the placing of conditions upon how grant moneys are to be spent, the Program will fund projects which will increase knowledge and awareness of agricultural issues and other issues specific to rural areas within this Commonwealth. This educational effort will be directed at the youth of this Commonwealth. Grants will be awarded to agricultural and rural youth organizations.

(b) The Grant Program is competitive. Grant requests and related documentation will be received by the Department and reviewed by the Board, which will recommend approval or rejection of each eligible grant request. If the Board recommends approval of a particular eligible grant request, the Secretary will then have final authority to approve or reject the request or modify the terms under which the grant will be awarded. The total amount of grant moneys awarded annually will not exceed \$150,000 the first year. The amount of grant moneys awarded each year thereafter will be determined by the Board, depending on the availability of funds.

§ 138f.2. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

Agriculture and rural youth organization—An organization comprised mainly of persons 18 years of age or younger and organized to promote development in the areas of agriculture, rural community leadership, vocational

training and peer fellowship. The term includes Pennsylvania FFA, 4-H, Ag in the Classroom, Future Homemakers of America and vocational education programs.

Applicant—An agricultural or rural youth organization submitting an application for grant monies as described in this chapter.

Board—The State Agriculture and Rural Youth Development Board.

Department—The Department of Agriculture of the Commonwealth.

Immediate family—The siblings, parents, offspring and adopted children of a particular individual.

Program—The Agricultural and Rural Youth Organization Grant Program.

Secretary—The Secretary of the Department.

§ 138f.3. Purpose, composition and responsibilities of the Board.

(a) *Purpose of Board.* The Board will review the eligible grant applications and supporting documents in accordance with the Agricultural and Rural Youth Development Act (3 P. S. §§ 1601—1609) and this chapter and decide whether to recommend acceptance or rejection of the grant application. The Board may also recommend the imposition of restrictions or special conditions upon the issuance of a grant. The Secretary will review grant applications with respect to which the Board recommends approval, and will have final authority to accept or reject these recommendations, or modify the terms under which a grant shall be awarded.

(b) *Composition of Board.* The Board will consist of between 10 and 13 members as follows:

- (1) The Secretary, or a designee, who will serve as Chairperson.
- (2) The Secretary of Education or a designee.
- (3) A representative from the Pennsylvania Vocational Agriculture Teachers Association, who will be appointed by the Governor.
- (4) The Statewide president of the Pennsylvania FFA.
- (5) A youth representative of the Pennsylvania 4-H.
- (6) A representative from the Pennsylvania State University Cooperative Extension Service, who will be appointed by the Governor.

(7) Up to three representatives, each from a different Pennsylvania farm or rural organization having a youth program, who will be appointed by the Secretary to serve as members for terms of 3 years, at the discretion of the Secretary.

(8) The Chairperson and the Minority Chairperson of the Senate Agriculture and Rural Affairs Committee, or designees, and the Chairperson and Minority Chairperson of the House of Representatives Agriculture and Rural Affairs Committee, or designees.

(c) *Terms of appointees of the Secretary.*

(1) The initial terms of the appointees of the Secretary, representing farms or rural organizations having youth programs, will be determined by the Sec-

etary, and will be staggered so that no more than one initial term expires in a particular calendar year. Thereafter, the term of an appointee will be 3 years.

(2) The youth representative of the Pennsylvania 4-H shall serve a term of 1 year.

(3) The term of a person appointed to replace another member whose term has not expired shall be only the unexpired portion of that term. Persons may be reappointed to successive terms.

(d) *Meetings.* The Board will meet annually to recommend to the Department the awarding of grants to qualifying organizations, and will hold other meetings that are necessary to the performance of its duties. Meetings will be called by the Chairperson. A minimum of seven of the Board members must be present to constitute a quorum of the Board.

(e) *Reimbursement.* Members of the Board are not entitled to compensation for their services as members, but are entitled to reimbursement for expenses incurred in connection with the performance of their duties at the current rates set by the Commonwealth.

§ 138f.4. Limitations on grants.

(a) *Direct grants.* The maximum amount of a direct grant is \$2,500. An agriculture and rural youth organization may be awarded only one direct grant in a particular calendar year. An individual agriculture and rural youth organization shall be considered to have been awarded a direct grant if it is awarded a direct grant jointly with another organization.

(b) *Matching grants.* The maximum amount of a matching grant is \$15,000. The amount of the matching grant may not exceed the amount of matching funds obtained or provided by the applicant for the capital project or equipment purchase described in the grant application. An agriculture and rural youth organization may be awarded only one matching grant in any particular calendar year. An individual agriculture and rural youth organization will be considered to have been awarded a matching grant if it is awarded a matching grant jointly with another organization.

§ 138f.5. Uses of direct and matching grant moneys.

(a) *Conformity to application.* Direct grant moneys awarded to an applicant shall be expended solely for the specific projects described in the grant application. Matching grant moneys awarded to an applicant under this Program shall be expended solely for the specific capital project or equipment purchase described in the grant application.

(b) *Pennsylvania projects.* Direct or matching grant moneys awarded to an applicant under this Program shall only be used to fund projects within the geographic boundaries of this Commonwealth.

(c) *Allowable expenditures of grant moneys.* Grant moneys shall be used for one or more of the following purposes:

- (1) To pay the cost of projects conducted by an applicant.
 - (2) To pay for education programs conducted by an applicant.
 - (3) To pay for educational seminars and field trips.
 - (4) To pay for agriculture safety training programs.
 - (5) To pay for capital projects and equipment purchases made by an applicant.
- (d) *Other allowable expenditures.* With the approval of the Board, the Department may designate other allowable purposes for the expenditure of grant moneys. Prospective applicants will be apprised of additional allowable purposes for the expenditure of grant moneys through the annual advertisement described in § 138f.7(a) (relating to filing applications).

Cross References

This section cited in 7 Pa. Code § 138f.6 (relating to applications generally).

§ 138f.6. Applications generally.

- (a) *Application required.* Interested organizations shall submit written grant applications to the Department.
- (b) *Obtaining an application.* Application for grants under this chapter shall be made on forms prepared by the Department. The forms will be furnished, upon request, by the Department.
- (c) *Additional documentation.* The Board and the Secretary may require that an applicant submit additional documentation to complete or verify the application form. The additional documentation may include a letter, affidavit or other documentation:
 - (1) Verifying the activities and legitimacy of an agricultural or rural youth organization applying for a grant.
 - (2) Verifying that grant moneys would be used for one or more of the purposes in § 138f.5 (relating to uses of direct and matching grant moneys).
 - (3) Confirming that the applicant for a matching grant has secured funds from another source for the project for which the grant is requested.
 - (4) From the party providing matching funds to a grant applicant recommending that a grant under this chapter be awarded the applicant and verifying that its contribution of funds to the applicant would not be feasible without a grant from the Department.

§ 138f.7. Filing applications.

- (a) *Place and time.* An application for a grant under the Program shall be received by the program administrator at the Department of Agriculture, 2301 North Cameron Street, Harrisburg, Pennsylvania 17110-9408, during the specific 45-day application period as advertised in the *Pennsylvania Bulletin*. The advertisement will be published at least 30 days prior to the commencement of the application period.

(b) *Incomplete or inaccurate applications.* The Department will review each timely application, and supporting documentation submitted therewith, for completeness and accuracy. If a timely application is found to be incomplete or inaccurate, the Department may request additional documentation and may discontinue further processing of the application if the documentation is not received by the Department within the 45-day application period described in subsection (a).

Cross References

This section cited in 7 Pa. Code § 138f.5 (relating to uses of direct and matching grant moneys).

§ 138f.8. Review of application by Board.

(a) *Transmittal of application to Board.* When the Department determines a grant application to be complete and accurate, it will forward this application, together with supporting documentation submitted therewith, to the Board for review.

(b) *Conflict of interest.* A member of the Board may not cast a vote or participate in the Board's consideration of an application from an organization with which the member is affiliated at the county or municipal level, or with which a member of his immediate family is affiliated at the county or municipal level. It is the responsibility of the individual Board member to bring other potential conflicts of interest to the attention of the Board in a timely manner.

(c) *Factors.* The Board will review and evaluate the application and supporting documentation and may consider the following factors, among others, in deciding whether to recommend approval or rejection of the grant requests:

- (1) The relevance of the project to agriculture and issues specific to rural areas within this Commonwealth.
- (2) The innovation of the project described in the application.
- (3) The scope of the project and the number of people who will be affected by the project described in the application.
- (4) The value to the community of the project described in the application.
- (5) The availability of funding for the project from a source other than the Program.
- (6) The extent to which the project has an impact upon youth within this Commonwealth.

(d) *Decisions.* When the Board has reviewed the grant application and supporting documentation, it will vote on whether to recommend approval or rejection of the grant application. A simple majority of at least four votes of the Board members present at the meeting is a prerequisite to a recommendation of approval. The Board may also recommend that a grant be awarded in an amount less than that requested in the grant application. In addition, the Board may vote to recommend the imposition of restrictions or special conditions upon the issuance of a grant. If the Board recommends approval of a particular grant application, the Secretary will review the grant application and additional recommenda-

tions of the Board relating to the grant application, and will have final authority to approve or reject the grant application or modify the terms under which the grant will be awarded.

Cross References

This section cited in 7 Pa. Code § 138f.10 (relating to grant agreement).

§ 138f.9. Notice of disposition of application.

The Department will mail to the applicant written notice of the acceptance or rejection of a grant application within 30 days of a decision in this regard. This notice will be by regular mail to the address indicated by the applicant on the grant application form.

§ 138f.10. Grant agreement.

After the Secretary approves a grant application, as described in § 138f.8(d) (relating to review of application by Board), and as a precondition to the Department's release of grant moneys to a successful applicant, the Department and the applicant shall execute a written Grant Agreement which describes the terms and conditions subject to which the grant is made. This Grant Agreement shall contain and conform to the requirements of this chapter. It shall also contain special terms and conditions required by the Secretary.

§ 138f.11. Verification of use.

(a) *Verification.* Within 1 year of the date of the Grant Agreement, the grant recipient shall submit to the Department written receipts for the total amount of the project costs. The Department may also require that additional documentation be submitted by the grant recipient in order to document the expenditure of grant moneys.

(b) *Extension of time.* The 1-year period described in subsection (a) may only be extended by the written permission of the Secretary. An extension shall be for a specific period of time.

(c) *Failure to verify use.* If required receipts or documentation, or both, are not submitted to the Department as described in subsections (a) and (b), or if the grant moneys or a portion thereof are unaccounted for, the Secretary may demand, in writing, the return by the grant recipient of the entire grant sum or a lesser amount, plus appropriate legal interest. The grant recipient shall repay a sum demanded by the Department within 60 days of the written demand.

Cross References

This section cited in 7 Pa. Code § 138f.12 (relating to grant cancellation).

§ 138f.12. Grant cancellation.

A grant may be canceled by the Department if the Secretary determines that grant funds are not being spent in accordance with the terms and conditions of the Grant Agreement. In the event of cancellation, the Department may demand the return of the grant sum, or a portion thereof, and the grant recipient shall repay the sum in the manner described in § 138f.11(c) (relating to verification of use).

§ 138f.13. Deficits.

The Department's financial obligation or liability is limited to the amount of the grant. The Department will not be financially responsible for program cost overruns incurred by grant recipients.

[Next page is 138g-1.]

138f-8

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